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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,399	04/22/2005	Akihiro Miyashita	38155	9124

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PEARNE & GORDON LLP  
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CLEVELAND, OH 44114-3108

EXAMINER
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HSU, AMY R

ART UNIT	PAPER NUMBER
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2622

NOTIFICATION DATE	DELIVERY MODE
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10/22/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patdocket@pearne.com  
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## Office Action Summary

Application No.

10/532,399

Applicant(s)

MIYASHITA ET AL.

Examiner

Amy Hsu

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4/22/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda (US 2003/0036365).

Regarding Claim 1, Kuroda teaches a digital camera, comprising: a first camera that is provided on a first surface of a casing member (*Fig. 5 reference number 6 and paragraph 34*); a second camera that is provided on a second surface in the back side of the first surface of the casing member (*Fig. 6 reference number 10 and paragraph 35*); a control unit that controls photographing operations of the first camera and the second camera (*paragraph 52 teaches an internal control circuit which controls operations of the two cameras*); a camera selecting unit that selects a camera for photographing (*paragraph 44 teaches that the user can select one of the cameras therefore there is a unit to select a camera*); a monitor unit (*Fig. 5 reference number 3*); wherein the photographing camera is selected by the camera selecting unit to photograph an image (*paragraph 44*). However, Kuroda does not specifically teach a camera shutter unit and image storing unit. Official notice is taken that a camera

shutter and image storing unit are very standard components of a digital camera. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teaching of Kuroda to include a camera shutter and image storing unit in order to store the captured images.

Regarding Claim 3, Kuroda teaches the digital camera according to claim 1. It is well known in the art that a digital camera comprises an image synthesizing unit, such as an image sensor, which synthesizes or forms the images photographed by cameras. The image sensor forms the image in order to photograph the synthesized image obtained by synthesizing the images photographed by cameras, in this case the two cameras.

Regarding Claim 6, Kuroda teaches the digital camera according to claim 1, wherein a moving image is photographed by the first camera or the second camera; and wherein the moving image is stored in the image storing unit. Official notice is taken that it is very well known that cameras photographs a moving image and stores the image in a storing unit. It would have been obvious to combine for the same rationale as stated with Claim 1.

Regarding Claim 7, Kuroda teaches a portable telephone equipped with a digital camera on which the digital camera according to any one of claims 1 to 6 is mounted (*Fig. 5*).

Regarding Claim 8, Kuroda teaches a foldable portable telephone equipped with a digital camera on which a digital camera is mounted (*Fig. 5*). Official notice is taken that it is well known in the art for a cell phone to detect when the phone is closed or open, and when it is detected that the phone is closed during a camera operation it ceases the operation, or completes the camera mode. It is well known that when the cell phone is open the camera can be operated. It would have been obvious to one of ordinary skill in the art at the time of the invention to realize the portable telephone with camera taught by Kuroda to incorporate the well known feature of ceasing camera function when the cell phone is closed and to be ready for camera operation when the cell phone is open.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda (US 2003/0036365) in view of Park et al. (US 6738073).

Regarding Claim 2, Kuroda teaches the digital camera according to claim 1, but is silent on both cameras selected and capturing images at the same time.

Park teaches a camera system with multiple cameras that capture images at the same time (*Col 7 Lines 7-9*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teaching of Kuroda to allow both cameras to be selected to

accomplish the well known feature of capturing images from multiple cameras at the same time, in addition to one or the other camera being selected as taught by Kuroda. This would allow the user more options in image capturing situations.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda (US 2003/0036365) in view of Gutta et al. (US 7183944).

Regarding Claim 4, Kuroda teaches the digital camera according to claim 3, but fails to teach a divided monitor with one side of the display for each of the two cameras.

Gutta teaches a camera apparatus with one screen monitor unit divided into a first display area and a second display area to display, with one side to display images from a camera facing one direction and the other side to display images from another camera facing the opposite direction (*Fig. 4*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Kuroda with that of Gutta to add the well known feature of a split screen with a side to display images from each of the cameras in order to allow the user to see images from both cameras at the same time. The images on the monitor are photographed and formed by the cameras units.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda (US 2003/0036365) in view of Bauer et al. (US 6509832).

Regarding Claim 5, Kuroda teaches the digital camera according to claim 1, and teaches an LCD (*paragraph 34*) as the display monitor, but fails to teach two monitor units that are LCD's, wherein the first liquid crystal display part is provided in the surface side of the casing member in which the first camera is provided, and the second LCD on the side of the second camera with each camera displaying on the monitor on the same side as the camera.

Bauer teaches a camera system with two cameras and two displays. The cameras are facing opposite directions and each displays to a separate monitor display on the same side as each camera (*Col 14 Lines 46-50*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Kuroda with that of Bauer to add a display on each side with each camera and to allow each camera to display captured images on its on monitor on the same side because it would allow the user to immediately see an image captured by a camera without having to turn the device.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kotea et al. (US 7003318) teaches a mobile phone with camera.

Weekamp et al. (US 2005/0237424) teaches a mobile communication device with a first and second camera on opposite sides of the device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy Hsu whose telephone number is 571-270-3012.


The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amy Hsu  
Examiner  
Art Unit 2622

ARH 10/14/07



LIN YE  
SUPERVISORY PATENT EXAMINER